THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No. 19696 of 2006

Date 22-09-2006

Between:

M/s.Suresh Cashew Industries rep. by P.V.L.Narayana Rao.

..... PETITIONER

AND

The Recovery Officer, Employees Provident Fund Organsiation & others.

.....RESPONDENTS

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION No.19696 of 2006

O R D E R :

This writ petition is filed aggrieved by the order dated 29-12-2005 passed by the third respondent in exercise of the powers conferred under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act'), directing the petitioner to remit a sum of Rs.2,18,069.30 ps. towards Employees Provident Fund Contributions.

Since admittedly against the said order, an alternative remedy of appeal is available under Section 7-I of the Act and without exhausting the said remedy, the petitioner came up with this writ petition, without expressing any opinion on merits, the writ petition is disposed of granting leave and liberty to work out the remedy of appeal as provided under law. If any such appeal is preferred within a period of four weeks from today, the same shall be entertained and decided on merits. Pending such appeal, the impugned order dated 29-12-2005 shall not be given effect to provided the petitioner deposits half of the amount determined under the impugned order within a period of six weeks from today. No order as to costs.

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22-09-2006

usd